

Appln No. 09/650,482
Amdt date September 19, 2006
Reply to Office action of April 19, 2006

Amendments to the Drawings:

Please accept replacement sheets for FIGs. 1 and 2. Reference numerals and text in the drawings have been changed to overcome 37 CFR 1.84(p)(4) objections. No new matter has been added. We have also included annotated sheets showing amendments to FIGs. 1 and 2.

Attachment: Replacement Sheets
 Annotated Sheets Showing Changes

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REMARKS/ARGUMENTS

Claims 1-27 are pending in the present application, of which claim 1 is independent. No claims have been added or cancelled. Claims 1, 5, 14 and 16-27 have been amended. Each of claims 1, 5, 14 and 16-27 has been amended merely to overcome patent claim drafting informalities and not for purposes of patentability that relate to overcoming prior art. No new matter has been added. The Applicants respectfully request reconsideration and allowance of claims 1-27.

The Applicants thank the Examiner for her time on Monday, September 18, 2006 during which the Applicants' Attorney inquired regarding the basis for the objection to reference numeral 215 in FIG. 4. As directed by the Examiner, the Applicants request that the Examiner clarify the point of alleged discrepancy in the figures and/or the specification serving as the basis for the objection as FIG. 4 with regard to reference numeral 215.

Objections to Claims 1, 5, and 16

Claims 1, 5 and 16 are objected to because of patent claim drafting informalities regarding the claim language. The objections are not related to patentability in view of prior art. The Applicants have amended the claims to overcome the objections.

In particular, claim 1 has been objected to due to the alleged unnecessary recitation of "and" at one location within

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the claim and the alleged omission of the recitation of "and" in another location in the claim.

The Applicants have amended claim 1 to recite, in part: "a pharmacy network including a pharmacy server and at least one pharmacy client system, the at least one pharmacy client system configured to accept and process orders for medications; and a service center network including a service center server and a service center client system, the service center network coupled to the pharmacy network and configured with a global database including a plurality of formulary records, wherein the service center server supplies the pharmacy server at least one of the plurality of formulary records upon request by the at least one pharmacy client system when at least one of the orders for medication is processed."

Accordingly, the Applicants believe that amended claim 1 overcomes the objection. The Applicants therefore request that the objection be withdrawn and the claim be allowed.

Claim 5 has been objected to because claim 5 recites "configured to generate medication specific label containing" instead of the phrase "configured to generate a medication specific label containing. . . ."

The Applicants have amended claim 5 to recite, in part: "[t]he pharmaceutical administrative system of claim 3 wherein the pharmacy client system is further configured to generate a medication specific label containing medication identification information."

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The Applicants believe that amended claim 5 overcomes the objection. The Applicants therefore request that the objection be withdrawn and the claim be allowed.

Claim 16 has been objected to due to the alleged unnecessary recitation of "and" at one location within the claim and the alleged omission of the recitation of "and" in another location in the claim.

The Applicants have amended claim 16 to recite, in part: "a formulary unit coupled to the order maintenance and presenting information about the medication to the order maintenance unit; a customer unit coupled to the order maintenance unit and presenting information relating to contact and purchasing information for the at least one customer ordering the medication; and a patient unit coupled to the order maintenance unit and the customer unit and presenting information relating to contact and medical information for the at least one patient, wherein the order maintenance unit is configured to modify the ingredients of the medication and to validate the modifications to the ingredients of the medication."

The Applicants have also amended claim 16 to include "unit" after "order maintenance" to provide antecedent basis in the claim.

Accordingly, the Applicants believe that amended claim 16 overcomes the objection. The Applicants therefore request that the objection be withdrawn and the claim be allowed.

Objections to the Drawings

FIG. 1 was objected to as failing to comply with 37 CFR 1.84(p)(4) because, with reference to FIG. 1 and the text of the specification, each of reference numerals 17, 27, 31 and 41 were used to refer to more than one element.

FIG. 1 has been amended to illustrate reference numeral 33 for the "backup server" and reference numeral 31 for the "backup network." The specification has also been amended as noted herein to be consistent with the reference numeral usage of FIG. 1. Accordingly, the objections to FIG. 1 have been overcome and the Applicants request that the Examiner accept replacement FIG. 1 and withdraw the objections.

FIG. 2 was objected to as failing to comply with 37 CFR 1.84(p)(4) because, with reference to FIG. 2 and the text of the specification, reference numerals 31 and 33 were both used to refer to a "backup server" and reference numerals 17 and 27 were both used to refer to a "mass storage device" in the specification. Additionally, reference numeral 41 was used to refer to an "order entry unit" in FIG. 2 but used to refer to an "order maintenance unit" in the specification. Further, reference numeral 49 was used to refer to "security" in FIG. 2 and "security unit" in the specification.

FIG. 2 has been amended to illustrate reference numeral 41 for an "order maintenance unit" and reference numeral 49 for a "security unit." The specification has also been amended as noted herein to be consistent with the reference numeral usage of FIG. 2. Further, reference numerals 17 and 27 now refer to

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"local database" and "global database" elements, respectively in FIG. 2 and in the specification. As noted herein, the specification has been further amended to distinguish between a "pharmacy network mass storage device" that stores a local database 17 and the "service center network mass storage device" that stores a global database 17, respectively. Accordingly, the objections to FIG. 2 have been overcome and the Applicants request that the Examiner accept replacement FIG. 2 and withdraw the objections.

FIG. 4 was objected to as failing to comply with 37 CFR 1.84(p)(4) because, with reference to FIG. 4, the Examiner stated that "reference numeral '215' has been used to designate both 'determine amounts of calcium and phosphate' and 'determine caloric content of medication' in FIG. 4." The Applicant respectfully submits that reference numeral 215 is only used to refer to "determine amounts of calcium and phosphate" in both FIG. 4 and throughout the specification. The Applicants request that the Examiner clarify the point of alleged discrepancy in the figures and/or the specification serving as the basis for the objection to FIG. 4.

The Applicants believe that the current FIG. 4 overcomes the objection and requests that the objection to FIG. 4 be withdrawn.

Objections to the Specification

The Examiner objected to the specification stating that 15a and 27 were not described in the specification in reference to

FIG. 2. The Examiner also objected to the reference to "15a-d" (instead of "15a-15d") in the text of the specification. Additionally, with reference to the specification and the drawings, the Examiner objected to the reference to "Global database" and "mass storage device" by the same reference numeral 27, "backup network" and "backup server" by the same reference numeral 31, "order maintenance unit" and "order entry unit" by the same reference numeral 41 and "security unit" and "security" by the same reference numeral 49.

Reference numerals in the specification, and in FIGs. 1 and 2, have been added and amended as appropriate as shown herein to overcome the objections.

Accordingly, the Applicants submit that the objections have been overcome and requests that the Examiner withdraw the objections and accept the specification as amended.

The Examiner objected to the specification stating "mass storage device" is the term used in reference to both reference numerals 17 and 27. The Applicants have amended the specification so that reference numeral 17 is used with "local database" and reference numeral 27 is used with "global database."

Accordingly, the Applicant submits that the objections have been overcome and requests that the Examiner withdraw the objections and accept the specification as amended.

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Objections to the Title

The Examiner objected to the title of the invention as not descriptive because the title is not indicative of the invention to which the claims are directed.

The Applicants have adopted the Examiner's suggested title and have amended the title to A PHARMACEUTICAL ADMINISTRATIVE SYSTEM FOR ORDERING AND RECEIVING PRESCRIBED MEDICINE.

Rejection of Claims 1, 14 and 16-27

Claims 1, 14 and 16-27 are rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Examiner rejects claim 1 for the lack of antecedent basis for "order" in view of the earlier recitation of "orders for medication" in the claim. The Examiner also rejected claim 1 on the basis of no antecedent basis for the terms "global database" and "service center client." However, the Applicants respectfully submit that the terms "a global database" and "a service center client" are recited in the claim and therefore antecedent basis is present for any subsequent recitations of "global database " and "service center client," respectively.

Amended claim 1 now recites, in part: "wherein the service center server supplies the pharmacy server at least one of the plurality of formulary records upon request by the at least one

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pharmacy client system when at least one of the orders for medication is processed."

Accordingly, the amended claim 1 overcomes the rejection. The Applicants therefore request that the Examiner withdraw the rejections and allow the claim.

The Examiner rejects claim 14 as being unclear, vague and confusing.

Amended claim 14 now recites, in part: "The pharmaceutical administrative system of claim 6 further comprising: a backup network configured to provide access to a backup database by the pharmacy network when the service center network is not available for a predetermined amount of time, the backup network comprising: a backup server configured to: receive replicated records of orders for medications that have been replicated by the service center server; and store in the backup database the replicated records of orders for medications."

Accordingly, the amended claim 14 now overcomes the rejection. The Applicants therefore request that the Examiner withdraw the rejections and allow the claim.

The Examiner rejects dependent claims 17-27 for recitation of "[t]he pharmacy client system" in the preamble while claims 1-16 (and more importantly, independent claim 1 from which claims 17-27 depend) recite "[t]he pharmaceutical administrative system" in the preamble.

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Amended claim 17 now recites "[t]he pharmacy administrative system of claim 16 wherein the medication is an intravenous solution." Amended claim 18 now recites "[t]he pharmacy administrative system of claim 17 wherein the order maintenance unit is configured to validate the modifications to the ingredients by generating a calcium phosphate solubility curve for the medication." Amended claim 19 now recites "[t]he pharmacy administrative system of claim 18 wherein the order maintenance unit is further configured to determine calcium and phosphate content in the medication and to compare the calcium and phosphate content to the calcium phosphate solubility curve for the medication." Amended claim 20 now recites "[t]he pharmacy administrative system of claim 19 wherein the order maintenance unit is further configured to provide a warning when the calcium and phosphate content does not match the calcium phosphate solubility curve for the medication."

Amended claim 21 now recites "[t]he pharmacy administrative system of claim 20 wherein the order maintenance unit is configured to generate medication specific labels for the medication." Amended claim 22 now recites "[t]he pharmacy administrative system of claim 21 wherein the medication specific labels for the medication includes information about a refractive index of the intravenous solution." Amended claim 23 now recites "[t]he pharmacy administrative system of claim 22 wherein the medication specific labels for the medication includes information about a level of potassium in the intravenous solution calculated using flame photometry." Amended claim 24 now recites "[t]he pharmacy administrative

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Amended claim 17 now recites "[t]he pharmacy administrative system of claim 16 wherein the medication is an intravenous solution." Amended claim 18 now recites "[t]he pharmacy administrative system of claim 17 wherein the order maintenance unit is configured to validate the modifications to the ingredients by generating a calcium phosphate solubility curve for the medication." Amended claim 19 now recites "[t]he pharmacy administrative system of claim 18 wherein the order maintenance unit is further configured to determine calcium and phosphate content in the medication and to compare the calcium and phosphate content to the calcium phosphate solubility curve for the medication." Amended claim 20 now recites "[t]he pharmacy administrative system of claim 19 wherein the order maintenance unit is further configured to provide a warning when the calcium and phosphate content does not match the calcium phosphate solubility curve for the medication."

Amended claim 21 now recites "[t]he pharmacy administrative system of claim 20 wherein the order maintenance unit is configured to generate medication specific labels for the medication." Amended claim 22 now recites "[t]he pharmacy administrative system of claim 21 wherein the medication specific labels for the medication includes information about a refractive index of the intravenous solution." Amended claim 23 now recites "[t]he pharmacy administrative system of claim 22 wherein the medication specific labels for the medication includes information about a level of potassium in the intravenous solution calculated using flame photometry." Amended claim 24 now recites "[t]he pharmacy administrative

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system of claim 23 wherein the modifications to the ingredients of the medication includes modifications to caloric content of the medication."

Amended claim 25 now recites "[t]he pharmacy administrative system of claim 24 wherein the order maintenance unit is configured to validate the modifications to the caloric content in the medication by comparing the modifications to predetermined amounts of caloric content in predefined medications." Amended claim 26 now recites "[t]he pharmacy administrative system of claim 23 wherein the modifications to the ingredients of the medication includes modifications to electrolytes in the medication." Amended claim 27 now recites: "[t]he pharmacy administrative system of claim 26 wherein the order maintenance unit is configured to validate the modifications to the electrolytes in the medication by comparing the modifications to predetermined amounts of electrolytes in predefined medications."

Accordingly, the amended claims 17-27 now overcome the rejections. The Applicants therefore request that the Examiner withdraw the rejections and allow the claims.

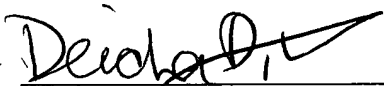
The Examiner rejects dependent claim 2-27, which depend from claim 1, based on their dependency from claim 1. Claims 2-27 necessarily include all of the limitations of claim 1 and are therefore now allowable based on their dependency from amended claim 1 as well as for their additional limitations.

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In view of the above remarks it is submitted that claims 1-27 are allowable. Allowance of claims 1-27 is hereby requested.

The Examiner is invited to contact the Applicant's Attorney at the telephone number listed below if such will be useful to advance the prosecution of this application.

Respectfully submitted,
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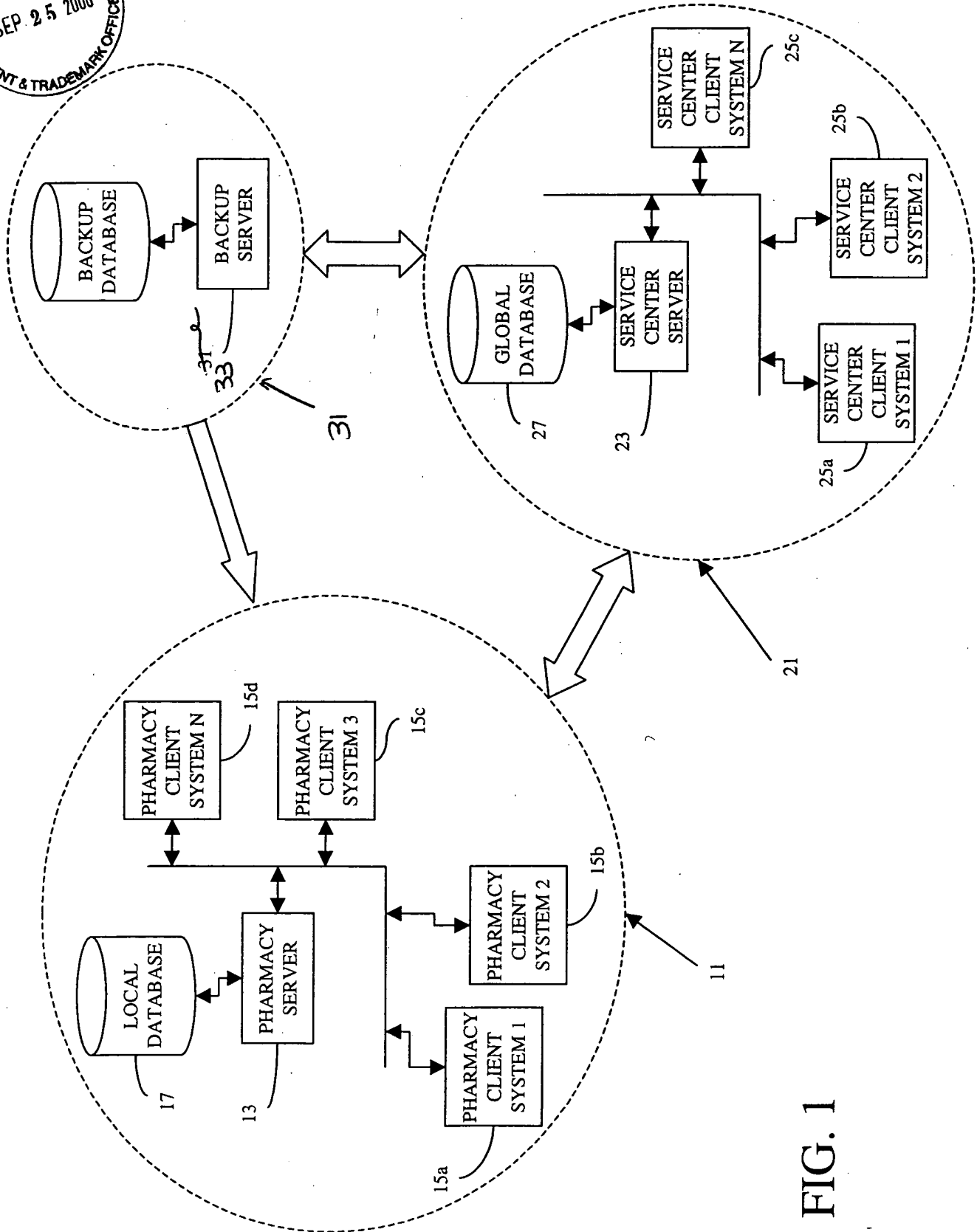


FIG. 1

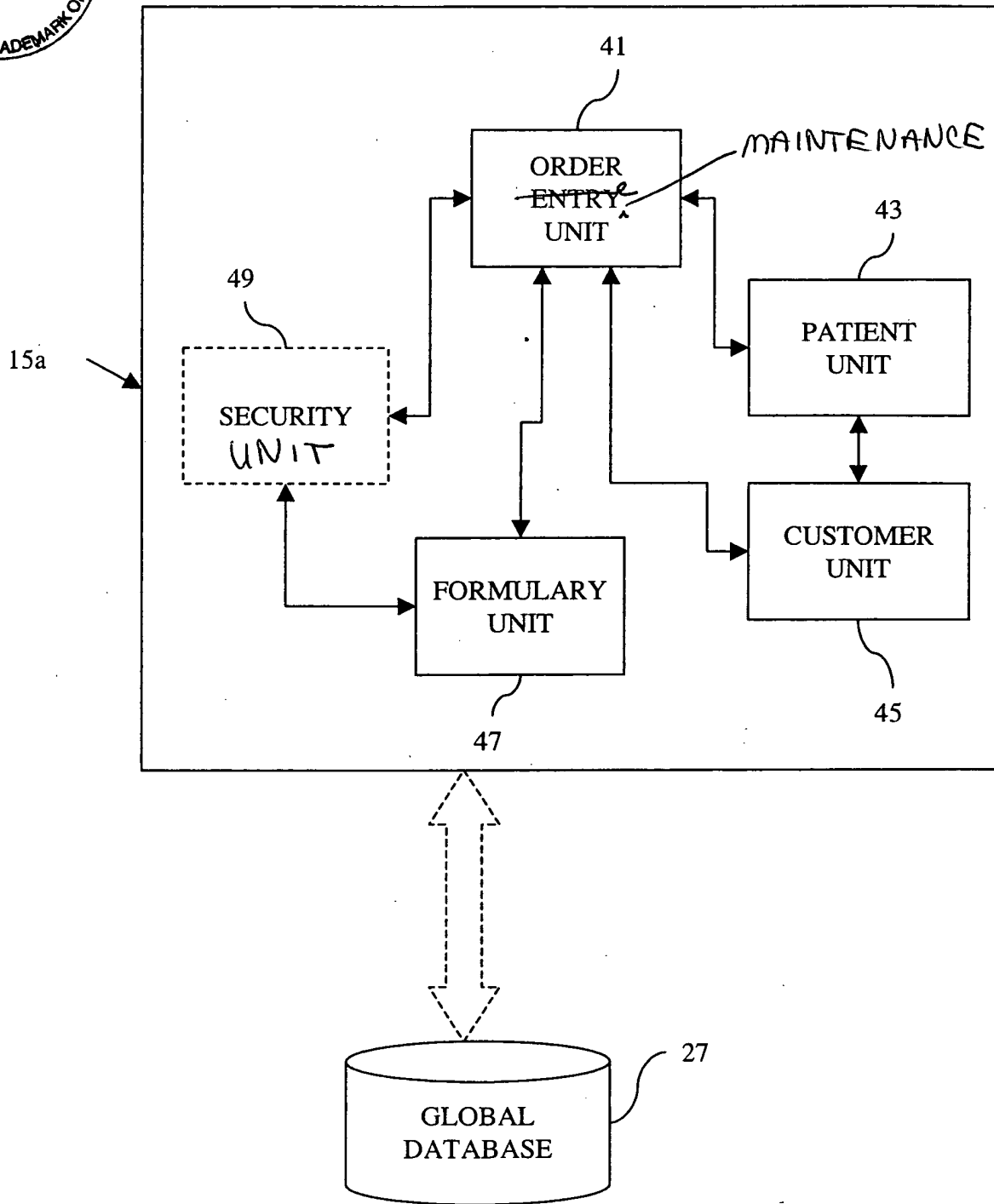


FIG. 2